



W.P.No.20280 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

W.P.No.20280 of 2024

and

W.M.P.No.22206 of 2024

M/s.Shriram Finance Limited,
(Formerly known as Shriram Transport Finance
Co.Ltd) Represented by its Authorized representative,
registered office at Sri Towers, Plot No.14A,
South Phase, Industrial Estate, Guindy, Chennai – 600 032,
Branch office at
D.No.34/4, Kamarajar Salai, 1st Floor,
Mahalingapuram,
Pollachi – 642 002.

... Petitioner

Vs.

1.Commissioner,
Pollachi Municipality,
Pollachi – 642 001.

2.Inspector of Police,
Mahalingapuram East,
Police Station,
Pollachi – 642 002.



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3.The Deputy Director,
Town and Country Planning,
2nd Floor, Dr.Nanjappa Road,
Gonalapuram, Coimbatore – 641 108.

4.Jayalakshmi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to consider and dispose of the representation dated 15.07.2024 of the petitioner.

For Petitioner	:	Mr.V.Pushpa
For R1	:	Mr.B.Anand Standing Counsel
For R2 and R3	:	Mr.M.R.Gokul Krishnan Additional Government Pleader

ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

This writ petition is filed by the tenant. The petitioner has filed this writ petition only for issuing a direction to the 1st respondent to consider their representation, wherein, they have pleaded that they are occupying the property for commercial purpose as a tenant and that therefore, no action can be proceeded against them for locking and sealing the premises, which



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would create law and order issues. Petitioner admits that he is shown the notice dated 12.07.2024 for locking and sealing.

2.This Court is unable to accept the case of the tenant, since a tenant under a lease agreement has no independent right, as the petitioner's owner has not challenged the order of lock and seal. The petitioner, as a tenant, cannot prevent the action that follows the lock and seal notice issued to the owner. In case the petitioner is aggrieved by the lock and seal order, it may be open to them to challenge the order and they cannot have a better right than the owner. Any order that is passed under Sections 56 and 57 of the Act is binding on the tenant. However, liberty is given to the petitioner to challenge the proceedings initiated for locking and sealing the premises.

3.With the liberty as indicated above, this writ petition is dismissed.
No costs. Consequently, connected miscellaneous petition is closed.

(S.S.S.R., J.) (N.S., J.)
22.07.2024

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S.S. SUNDAR, J.
and
N. SENTHILKUMAR, J.

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Internet : Yes
Index : Yes / No
Neutral Citation : Yes / No

To

- 1.The Commissioner,
Pollachi Municipality,
Pollachi – 642 001.
- 2.The Inspector of Police,
Mahalingapuram East,
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- 3.The Deputy Director,
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